



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAY ALIX,

Plaintiff,

-v-

MCKINSEY & CO., INC.; MCKINSEY HOLDINGS,  
INC.; MCKINSEY & COMPANY INC. UNITED  
STATES; MCKINSEY RECOVERY &  
TRANSFORMATION SERVICES U.S., LLC;  
DOMINIC BARTON; KEVIN CARMODY; JON  
GARCIA; SETH GOLDSTROM; ALISON PROSHAN;  
and ROBERT STERNFELS,

Defendants.  
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18-CV-4141 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On July 30, 2018, Defendants filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that Plaintiff shall file any amended complaint by **August 20, 2018**. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying Plaintiff, stating that it relies on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot.

It is further ORDERED that if no amended complaint is filed, Plaintiff shall serve any opposition to the motion to dismiss by **August 20, 2018**. Defendants' reply, if any, shall be served by **August 27, 2018**. At the time any reply is served, the moving party shall supply the Court with one courtesy hard copy of all motion papers by mailing or delivering them to the United States Courthouse, 40 Centre Street, New York, New York.

Finally, it is further ORDERED that the initial pretrial conference scheduled for August 22, 2018 is adjourned *sine die*.

SO ORDERED.

Dated: July 31, 2018  
New York, New York

  
JESSE M. FURMAN  
United States District Judge